

Freedom of Information Commission
of the State of Connecticut

In the Matter of a Complaint by)
Mrs. Robert DeBeradinis,) Report of Hearing Officer
Complainant) Docket #FIC 76-89
against) June 28, 1976
Town of Newtown and Newtown)
Planning and Zoning Commission)
Respondents)

The above-captioned matter was heard as a contested case on June 18, 1976, at which the complainant and respondents appeared and presented testimony, exhibits and argument on the complaint.

After consideration of the evidence the following facts are found:

1. Respondents are public agencies.
2. On May 5, 1976 complainant requested that respondent Planning and Zoning Commission notify her of all regular and special meetings of the Commission. Complainant also sought the agenda of each meeting.
3. On May 12, 1976, respondent's chairman replied that the Commission "does not send out individual notices of meetings, nor are we able to send out individual notices of meetings, nor are we able to send out advance agendas." The letter further set forth the general schedule for regular meetings of the Commission, noted that the call of special meetings is available in the Town Clerk's office, and stated that the agenda is not available until just before the meetings.
4. Complainant has appealed to this Commission on May 17, 1976 to obtain notices of meetings and agendas.
5. Under respondents' existing practice public knowledge of respondents' proposed actions is more limited than is desirable under P.A. 75-342.


The following order by the Commission is hereby recommended on the basis of the record concerning the above-captioned complaint:

1. Pursuant to §7 of P.A. 75-342, complainant shall be furnished (at reasonable charge if respondent so requests) notice at least one week before each regular meeting of respondent Commission.

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2. Respondent shall give notice of special meetings as in paragraph 1 above, except when a special meeting is called less than seven days before the date set for it, and there is literally not time to give such notice.

3. The agenda of each regular meeting should be freely available to complainant in accordance with Section 2a of Public Act 75-342 as soon as possible. The agenda for each special meeting should be included with the notice.



Commissioner Herbert Brucker

as Hearing Officer

Approved by order of the Freedom of Information Commission
on July 14, 1976.



Louis J. Tapogna,
Clerk

Freedom of Information Commission